

REMARKS

Consideration of the application as amended above is respectfully requested.

In the specification, the new paragraph to be inserted on page 1, line 5, was added after the "TITLE OF THE INVENTION" paragraph on page 1, lines 1-3 and before the "BACKGROUND OF INVENTION" paragraph on page 1, line 7, to provide the priority of the present application.

No new matter is being added to the above-captioned application by the submission of the Abstract of the Invention, because it is identical to that in PCT/US2003/040040, for which the present application is a U.S. National Phase Application.

For the Examiner's convenience, a separate sheet for the Abstract of the Invention (page 73) is enclosed for inclusion with the specification of the U.S. National Phase Application being filed.

At page 61, lines 26-29, and at page 62 lines 12-17, the title of the Example has been corrected. Both sections (on page 61 and 62) improperly named the title compound as the bromophenyl derivative, when it is clear from the chemical steps followed in the Example that the bromophenyl was chemically transformed to the corresponding cyanophenyl derivative. Support for this is found in the chemical structure of the compounds in Examples 8 and 9, which are the 3-cyano compound. This amendment corrects an obvious error in the application and does not add new matter to the application.

Concerning the amendments to the specification at pages 61 and 62, Applicants note that the original text that is being corrected was underlined. The replacement text is shown with underlines to demonstrate that it is replacement text. However, as amended, the replacement text does not need to appear underlined in the patent application.

Claims 1 to 27 were pending during Chapter II of the PCT application. Claims 8 and 18, have been amended. Claims 22-27 have been cancelled. New Claims 28 through 38 have been added. Presently, Claims 1 through 21 and 28 through 38 are pending in the present application.

Claim 8 has been amended to correct the spelling of the word "cyano". Similarly, Claim 18 has been amended to correct the spelling of the word "associated". These amendments do not add new matter to the present application and serve to avoid possible confusion caused by typographical errors.

New Claim 28 is directed to compounds according to Claim 9 wherein R⁶ is selected from methyl, halogen and -CN. This claim differs from original Claim 10 in that one element from the

Markush group for R⁶ has been deleted. Deletion of an element from a Markush group does not add new matter to the present application.

New Claim 29 depends from Claim 28 and is directed to the species of original Claim 14 wherein R⁶ is methyl, halogen, or -CN.

New Claim 30 is directed to compounds according to Claim 9 wherein R⁶ is hydroxy. This claim differs from original Claim 9 in that elements from the Markush group for R⁶ have been deleted. Applicants believe that the compounds of the present invention wherein R⁶ is hydroxy may be metabolites of the corresponding compounds of disclosed in USSN 10/387265; published as US2004-0058820.

New Claim 31 depends from Claim 30 and is directed to the species of original Claim 14 wherein R⁶ is hydroxy.

New Claim 32 is directed to a method of treating a disease mediated by the Cannabinoid-1 receptor comprising administration to a patient in need of such treatment of a composition according to Claim 21. Support for this amendment is found in original Claim 16, and in the specification at page 3, lines 25-26.

New Claim 33 depends from new Claim 32 and is directed to the method according to Claim 32 wherein the disease mediated by the Cannabinoid-1 receptor is selected from: psychosis, memory deficit, cognitive disorders, migraine, neuropathy, neuro-inflammatory disorders, cerebral vascular accidents, head trauma, anxiety disorders, stress, epilepsy, Parkinson's disease, schizophrenia, substance abuse disorders, constipation, chronic intestinal pseudo-obstruction, cirrhosis of the liver, asthma, obesity, and other eating disorders associated with excessive food intake. Support for this amendment is found in original Claim 17, and in the specification at page 3, lines 25-26.

New Claim 34 depends from Claim 33 and is directed to the method according to Claim 33 wherein the disease mediated by the Cannabinoid-1 receptor is an eating disorder associated with excessive food intake. Support for this amendment is found in original Claim 18, and in the specification at page 3, lines 25-26.

New Claim 35 depends from Claim 34 and is directed to the method according to Claim 34 wherein the eating disorder associated with excessive food intake is selected from obesity, bulimia nervosa, and compulsive eating disorders. Support for this amendment is found in original Claim 19, and in the specification at page 3, lines 25-26.

New Claim 36 depends from Claim 35 and is directed to the method according to Claim 35 wherein the eating disorder associated with excessive food intake is obesity. Support for this amendment is found in original Claim 20, and in the specification at page 3, lines 25-26.

New Claim 37 depends from Claim 1, and is directed to the compound of Example 8. Support for this new claim is found in Example 8, page 60, the structure under line 26. New Claim 38 depends from Claim 37 and is directed to a pharmaceutical composition comprising the compound of

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Claim 37, namely, the compound of Example 8. Support for this claim is found in Example 8, page 60, the structure under line 26, and in the specification at page 3, lines 25-26.

Applicants respectfully contend that the application is allowable, and a favorable response from the Examiner is earnestly solicited.

Respectfully submitted,

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Enclosure

June 9, 2005

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